



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,023	03/27/2007	Gauthier Pouliquen	022290.0159PTUS	7549
33942	7590	11/24/2009		
PATTON BOGGS LLP 8484 WESTPARK DRIVE SUITE 900 MCLEAN, VA 22102			EXAMINER GUDIBANDE, SATYANARAYAN R	
			ART UNIT 1654	PAPER NUMBER
			MAIL DATE 11/24/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10580023	3/27/2007	POULIQUEN ET AL.	022290.0159PTUS

PATTON BOGGS LLP
8484 WESTPARK DRIVE
SUITE 900
MCLEAN, VA 22102

EXAMINER

SATYANARAYANA R. GUDIBANDE

ART UNIT	PAPER
----------	-------

1654

20091116

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 8/19/09 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The election/restriction requirement mailed on 7/21/09 required that applicants elect a species of biodegradable polymer with a chemical structure or a SEQ ID NO with all the variables clearly identified to represent a single compound (see page 4 of the office action). Applicants have elected alpha-L-polyglutamate as the biodegradable polymer. Claims 7 and 8 recite structures of polymers for that appears to be Poly-L-glutamate that differ in structural features. It is unclear as to which of these structures applicants considers as reading on the elected species. Especially the variable R4 which can be a spacer based on 1-4 amino acid units. Hence, applicants are required to elect the species of the biodegradable polymer with a structure with all the variables clearly identified to represent a single molecule as mentioned in the election/restriction mailed on 7/21/09, See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satyanarayana R. Gudibande whose telephone number is 571-272-8146. The examiner can normally be reached on M-F 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Andrew D Kosar/
Primary Examiner, Art Unit 1654